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8-22-01  
Attorney Docket. No.: P63712US0

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
In the Application of:

Philippe SAUER et al.

Serial No.: 09/341,119

Group Art Unit: 1651

Filed: November 18, 1999

Examiner: F. Prats

Title: RAPID AND SIMPLE PROCESS FOR ISOLATION OF CIRCULAR NUCLEIC ACIDS

**TRANSMITTAL**

Commissioner of Patents  
Washington, D.C. 20231

**RECEIVED**

AUG 20 2001

Sir:

TECH CENTER 1600/2900

Transmitted herewith are an Amendment and Petition for Extension of Time in the above-captioned application.

— Small Entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.

XX Please charge \$944 to Deposit Account No. 06-1358 for total claims in excess of 20 and for Petition for Extension of Time.

XX If a Petition for Extension of Time is necessary and the Petition and/or the check is not enclosed, this will act as the Petition and applicant herewith petitions the Commissioner to extend the time for response and charge any fees necessary under 37 CFR 1.17 (a)-(d) to Deposit Account No. 06-1358. The Commissioner is also authorized to charge payment of any other additional fees associated with this communication or credit any overpayment to Deposit Account No. 06-1358.

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Dated: August 14, 2001  
WEP\vjb



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Cmly  
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AMENDMENT

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Sir:

In response to the Official Action dated February 14, 2001, please amend the above-identified patent application as follows:

IN THE CLAIMS

✓ Cancel claims 1-13, without prejudice or disclaimer.

Please add the following claims.

- B<sub>1</sub>
14. A method for separating and/or isolating circular nucleic acids from a mixture having different species of nucleic acids in addition to circular nucleic acids wherein the mixture is treated under alkaline conditions at a pH > 8 with a solid matrix consisting essentially of a silica material in presence of at least one chaotropic substance.
  15. The method of claim 14, wherein the circular nucleic acid is double stranded DNA.
  16. The method of claim 14, wherein the mixture contains non circular nucleic acids and at least one other species of nucleic acids.
  17. The method of claim 14, wherein the mixture is of biological origin, such as bacteria lysate.